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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,517	09/30/2003	Jeffrey A. Aaron	9400-150	6101
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EXAMINER				
TIMBLIN, ROBERT M				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/675,517

Applicant(s)

AARON ET AL.

Examiner

ROBERT TIMBLIN

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This Office action corresponds to application 10/675,517 which was filed 9/30/2003.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/17/2010 has been entered.

Response to Amendment

Applicant herein amends claims 1, 10, and 18. No claims have been added or cancelled and accordingly, claims 1-20 are pending.

Allowable Subject Matter

The following is a statement of reasons for the indication of allowable subject matter: Applicant discloses an algorithm (see paragraph [0031] of the original disclosure) by which to perform alert severity modification as detailed in the following:

$$S_{\text{mod}} = S_0 + (G \times N_{\text{same}}) + (H \times N_{\text{adjacent}}) - (I \times (100 - C(t)))$$

Where S_{mod} is the modified alert severity,

S_0 is the baseline pre-configured severity associated with a given alert,

G, H, and I are pre-configured modifier values,

N_{same} is the number of alerts in the same zone within a given pre-configured time window,

N_{adjacent} is the number of alerts in all adjacent zones within a pre-configured time window,

$C(t)$ is the certainty value for the given alert.

This algorithm is not specifically expressed or suggested by the prior art of record. Thus, the pending independent claims 1, 10, and 18 would be allowable over the cited prior art if incorporating this feature of the present invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 USC 103(a) as being obvious over Vinberg (U.S. 2003/0023722 A1), in view of Fitzgibbon et al. ('Fitzgibbon' hereafter, U.S. Patent Application 2002/0053975)

Regarding claim 1, Vinberg discloses a method of outputting an alert indicating that an event has occurred, the method comprising:

obtaining a status from a sensor (Figure 3A, elements 305-319., paragraph 0009 and 0030; e.g. alert condition detector; status information from each element is the equivalent of status from a sensor, see also element 120),

generating the alert (Figure 4, element 410, paragraph 0050);

applying a filter (0038; e.g. the importance property [of the alert] represents a measure of the importance of the object) to determine whether to modify (0038; e.g. assigning a severity property) a severity (0035, 0038; e.g. importance and “mission critical” level) of the alert (Figure 4, element 420, paragraph 0053, see also paragraph 0028; e.g. alert filter and whether to report an alert condition), and outputting the alert (Figure 4, element 430, paragraph 0053; e.g. generate output alert).

Vinberg does not explicitly disclose retrieving personnel information comprising identity and status information for the personnel from a database, the personnel information relating to the sensor and the status information comprises job category and authorized access zone information.

Fitzgibbon, however, teaches retrieving personnel information (0008; e.g. personnel such as repairmen, cable or telephone installers or a delivery person as described in 0028) comprising identity (0029; e.g. biometric identification information) and status information for the personnel from a database (Fig. 1, drawing reference 28), the personnel information relating to the sensor (0007 and 0029) and the status information comprises job category (0008; e.g. personnel such as repairmen, cable or telephone installers or a delivery person as described in 0028. Fitzgibbon further teaches a user’s designation in a group of authorized users in 0025-0028) and authorized access zone information (0028).

Accordingly, in the same field of endeavor, (i.e. alert systems), it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because Fitzgibbon would have given Vinberg’s

system of monitoring and managing ongoing processes a way to efficiently alert a human in the case that a problem or other even is detected (needed by Vinberg, 0002).

Regarding claim 2, further comprising retrieving information relating to a prior event from the database, Vinberg teaches in paragraph 0042 the use of an alert condition, database, which a filter module processes events that have been stored prior to processing. In this instance alert conditions objects are the equivalent of prior events.

Regarding claim 3, further comprising accumulating the alert, (Vinberg, paragraph 0038 and 0048; e.g. alert severity).

Regarding claim 4, further comprising re-evaluating the severity of the alert, Vinberg teaches in paragraph 0025 the use of an automatic discovery utility that can be used to continually monitor the status of components in a system (the equivalent of sensors). The evaluation of a severity of an event, discussed in paragraph 0026, is continuously evaluated and re-evaluated.

Regarding claim 5, further comprising re-evaluating the uncertainty of the alert, Vinberg teaches in paragraph 0025 the use of an automatic discovery utility that can be used to continually monitor the status of components in a system (the equivalent of sensors). The evaluation of the uncertainty of an event, (called likelihood in Vinberg) is discussed in paragraph 0026, and is continuously evaluated and re-evaluated.

Regarding claim 6, further comprising applying a filter to determine whether to limit outputting of the alert (Vinberg, paragraph 0053).

Regarding claim 7, further comprising outputting a recommendation relating to the alert, Vinberg teaches the limitation in the disclosure of a warning in paragraph 0050. A warning is a recommendation to an operator to consider the effects of a message sent from a device.

Regarding claim 8, Fitzgibbon further teaches wherein obtaining a status from a sensor includes obtaining a status from one of an infrared sensor, a physical sensor, a motion detection sensor, a wireless sensor, an audio pattern recognition device, a video pattern recognition device, a card reader, a biometric sensor, a software monitoring device, a trip wire, an electric eye, a pressure sensor, an access panel switch, a door switch, a microwave sensor, and a System Network Management Protocol (SNMP) trap source/event message, (0029 wherein Fitzgibbon teaches a biometric sensor). The same motivation to combine the teachings of Fitzgibbon and Vinberg applied in claim 1 applies equally as well to the rejection of claim 8.

Regarding claim 9, wherein outputting the alert includes outputting one of a telephone message, an electronics message, a paper message, a visual indication, and an auditory indication, Vinberg discloses in paragraph 0022 a visualization workstation (element 105) that gets notification of events, which are the equivalent of a visual indication.

Regarding claim 10, Vinberg discloses A system for outputting an alert, the system comprising:

- a sensor interface (Figure 3A, elements 305-319, paragraph .0030; status information from each element is the equivalent of status from a sensor', see also element 120);

- a database (element 110, paragraph 0023);

- an alert processor in communication with the sensor interface and the database (paragraph 0024, element 115), wherein the alert processor is configured to retrieve personnel information from the database, generate the alert (Figure 4, element 410, paragraph 0050)', apply a filter to determine whether to modify the severity of the alert (Figure 4, element 420, paragraph 0053, see also paragraph 0028), and output the alert (Figure 4, element 430, paragraph 0053).

Vinberg does not explicitly disclose retrieving personnel information comprising identity and status information for the personnel from a database, the personnel information relating to the sensor and the status information comprises job category and authorized access zone information.

Fitzgibbon, however, teaches retrieving personnel information (0008; e.g. personnel such as repairmen, cable or telephone installers or a delivery person as described in 0028) comprising identity (0029; e.g. biometric identification information) and status information for the personnel from a database (Fig. 1, drawing reference 28), the personnel information relating to the sensor (0007 and 0029) and the status information comprises job category (0008; e.g. personnel such as repairmen, cable or telephone installers or a delivery person as described in 0028. Fitzgibbon

further teaches a user's designation in a group of authorized users in 0025-0028) and authorized access zone information (0028).

Accordingly, in the same field of endeavor, (i.e. alert systems), it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because Fitzgibbon would have given Vinberg's system of monitoring and managing ongoing processes a way to efficiently alert a human in the case that a problem or other even is detected (needed by Vinberg, 0002).

Regarding claim 11, Vinberg teaches wherein the alert processor includes an alert generation module (Vinberg, figure 2, element 220, paragraph 0037).

Regarding claim 12, Vinberg teaches wherein the alert processor includes an input module (410).

Regarding claim 13, Vinberg teaches wherein the alert processor includes a filter module (Vinberg, figure 2, element 230, paragraph 0042).

Regarding claim 14, Vinberg teaches wherein the alert processor includes an alert uncertainty and severity estimation module (Vinberg, figure 2, element 230, paragraph 0048).

Regarding claim 15, Vinberg teaches wherein the alert processor includes a rule and algorithm update module (Vinberg, figure 2, element 205, paragraph 0027).

Regarding claim 16, Vinberg teaches wherein the alert processor includes a filter/mode selection module (Vinberg, figure 2, element 205, paragraph 0027). Paragraph 0027 of Vinberg details a module that provides access and modification to objects in the system enabling an operator to define criteria under which alert notifications may be reported. The filter criteria maintenance module then meets the limitations of both a rule and algorithm update module and a filter/mode selection module.

Regarding claim 17, Vinberg teaches wherein the alert processor includes an alert output module (Vinberg, figure 2, element 235, paragraph 0043).

Regarding claim 18, Vinberg teaches A computer readable medium having stored thereon instructions which, when executed, cause a processor to:

obtain a status from a sensor (Figure 3A, elements 305-319., paragraph 0009 and 0030; e.g. alert condition detector; status information from each element is the equivalent of status from a sensor, see also element 120),

generate the alert (Figure 4, element 410, paragraph 0050);

apply a filter to determine whether to modify a severity of the alert (Figure 4, element 420, paragraph 0053, see also paragraph 0028; e.g. alert filter), and output the alert (Figure 4, element 430, paragraph 0053; e.g. generate output alert).

Vinberg does not explicitly disclose retrieving personnel information comprising identity and status information for the personnel from a database, the personnel information relating to

the sensor and the status information comprises job category and authorized access zone information.

Fitzgibbon, however, teaches retrieving personnel information (0008; e.g. personnel such as repairmen, cable or telephone installers or a delivery person as described in 0028) comprising identity (0029; e.g. biometric identification information) and status information for the personnel from a database (Fig. 1, drawing reference 28), the personnel information relating to the sensor (0007 and 0029) and the status information comprises job category (0008; e.g. personnel such as repairmen, cable or telephone installers or a delivery person as described in 0028. Fitzgibbon further teaches a user's designation in a group of authorized users in 0025-0028) and authorized access zone information (0028).

Accordingly, in the same field of endeavor, (i.e. alert systems), it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because Fitzgibbon would have given Vinberg's system of monitoring and managing ongoing processes a way to efficiently alert a human in the case that a problem or other even is detected (needed by Vinberg, 0002).

With respect to claim 19, Fitzgibbon further discloses the computer readable medium of claim 18, having stored thereon additional instructions that cause the processor to obtain a status from one of an infrared sensor, a physical sensor, a motion detection sensor, a wireless sensor, an audio pattern recognition device, a trip wire, an electronic eye, a pressure sensor, an access panel switch, a door switch, a microwave sensor, and a System Network Management Protocol

(SNMP) trap source/event message (0029). The same motivation to combine the teachings of Fitzgibbon and Vinberg applied in claim 118 applies equally as well to the rejection of claim 19.

With respect to claim 20, Fitzgibbon further discloses he computer readable medium of claim 18, having stored thereon additional instructions that cause the processor to output one of a telephone message, an electronic message, a pager message, a visual indication, and an auditory indication (0031) for providing an alerting signal. The same motivation to combine the teachings of Fitzgibbon and Vinberg applied in claim 118 applies equally as well to the rejection of claim 20.

Response to Arguments

Applicant's arguments, see page 7, filed 5/17/2010, with respect to the rejection(s) of claim(s) 1, 10, and 18 under Sands have been fully considered and are persuasive. Therefore, the Sands reference has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of Vinberg in view of Fitzgibbon. Specifically, Sands is not seen to expressly disclose a database containing job category and authorized access zone information; however, the currently cited prior art in combination discloses this feature. Accordingly, the arguments are considered moot in view of the new grounds of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent Application 2004/0024742 filed by Angele. The subject matter disclosed therein pertains to the pending claims (i.e. personnel information – see para 0015).

U.S. Patent Application 2006/0184508 filed by Fuselier et al. The subject matter disclosed therein pertains to the pending claims (i.e. job category as job function – see para 0032).

U.S. Patent Application 2002/0082894 filed by Azuma. The subject matter disclosed therein pertains to the pending claims (i.e. employee information – see Fig. 10 and 0067).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-Th 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ROBERT TIMBLIN/
Examiner, Art Unit 2167